
STATUTORY INSTRUMENTS

1995 No. 951

**LEGAL AID AND ADVICE,
ENGLAND AND WALES**

**The Legal Advice and Assistance (Duty Solicitor)
(Remuneration) (Amendment) Regulations 1995**

<i>Made</i>	- - - -	<i>30th March 1995</i>
<i>Laid before Parliament</i>		<i>31st March 1995</i>
<i>Coming into force</i>	- -	<i>24th April 1995</i>

The Lord Chancellor, in exercise of the powers conferred on him by sections 34 and 43 of the Legal Aid Act 1988(1), having had regard to the matters specified in section 34(9) and having consulted the General Council of the Bar and the Law Society and with the consent of the Treasury, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Legal Advice and Assistance (Duty Solicitor) (Remuneration) (Amendment) Regulations 1995 and shall come into force on 24th April 1995.

Interpretation

2. In these Regulations a reference to any regulation by number alone means the regulation so numbered in the Legal Advice and Assistance (Duty Solicitor) (Remuneration) Regulations 1989(2).

Transitional provisions

3. These Regulations shall apply for the purposes of work done on or after 24th April 1995 to which the Legal Advice and Assistance (Duty Solicitor) (Remuneration) Regulations 1989 apply.

Amendments to the Legal Advice and Assistance (Duty Solicitor) (Remuneration) Regulations 1989

4. Regulation 2 shall be amended as follows:—

(1) 1988 c. 34; sections 34 and 43 were amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraphs 60 and 63. Section 43 is an interpretation provision and is cited because of the meaning given to “regulations”.
(2) S.I. 1989/341, as amended by S.I. 1991/528 and 1992/639.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) after the definition of “business day” there shall be inserted the following definition:—
 - ““contract” means a contract entered into by the Board with other persons or bodies pursuant to its powers under section 4 of the 1988 Act;”;
 - (b) after the definition of “duty solicitor scheme” there shall be inserted the following definition:—
 - ““franchisee” means a person or body (other than the Board) acting under the terms of a franchising contract;”.
5. Regulation 5(2) shall be amended as follows:—
- (a) for the word “basic” wherever it occurs there shall be substituted the word “prescribed”;
 - (b) in sub-paragraphs (a) and (b), after “paragraph 1(1)(a)” there shall in inserted “(or paragraph 1A in the case of work done by a franchisee)”.

Dated 29th March 1995

Mackay of Clashfern, C.

We consent

Dated 30th March 1995

Timothy Wood
Timothy Kirkhope
Two of the Lords Commissioners of Her
Majesty’s Treasury

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Legal Advice and Assistance (Duty Solicitor) (Remuneration) Regulations 1989. They provide increased rates of remuneration for work done on or after 24th April 1995 and introduce a higher rate for franchisees.